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Direct: (617) 500-8670
rbeck@beckreed.com

January 4, 2023

BY ECF FILING

Hon. Analisa Torres
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Proskauer Rose LLP v. Jonathan O'Brien*
Case No. 22-cv-10918 (AT)

Dear Judge Torres:

I am litigation counsel to defendant Jonathan O'Brien in the above-captioned matter and write concerning the Temporary Restraining Order entered by the Court on December 28, 2022 to request a short extension and adjournment of two principal deadlines in this matter. We have been conferring in good faith with counsel for plaintiff Proskauer Rose LLP ("Proskauer") and they consent to this request. This is the first such request for an extension or adjournment.

Specifically, the parties have agreed that:

- Mr. O'Brien may have until 5:00 PM ET on January 6, 2023 by which to comply with Paragraph 2 of the Court's December 28, 2022 Order (Dkt. 15) (the "Order") to accommodate Mr. O'Brien's travel schedule. By way of context, Mr. O'Brien will be returning to New York from Mauritius during the afternoon of January 5. The current deadline for compliance with Paragraph 2 is January 5 at 12:00 PM ET, before Mr. O'Brien will have landed back in the country.
- The preliminary injunction hearing presently scheduled for January 10, 2023 will be adjourned for one week (or to a date at the Court's earliest convenience thereafter) to permit the parties to, among other things, negotiate a forensic protocol and explore whether the issues ultimately presented to the Court may be narrowed.



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Accordingly, Mr. O'Brien respectfully requests that the Court, as agreed by the parties: (1) set a **January 6, 2023 5:00 PM ET** deadline for compliance with Paragraph 2 of the Order and (2) adjourn the January 10, 2023 hearing until **January 17, 2023** or to a date at the Court's earliest convenience thereafter.

Respectfully submitted,

Beck Reed Riden LLP

A handwritten signature in blue ink, appearing to read 'Russell Beck', is written over a horizontal line.

Russell Beck, Esq.
155 Federal Street, Suite 1302
Boston, MA 02110
Tel: (617) 500-8660
Fax: (617) 500-8665
rbeck@beckreed.com

cc : All Counsel of Record (by ECF filing and Email)
Russell Yankwitt, Esq. (by email)

GRANTED. By **January 6, 2023**, at **5:00 p.m.**, Defendant shall comply with Paragraph 2 of the Court's Order at ECF No. 15. The hearing scheduled for January 10, 2023, is ADJOURNED to **January 24, 2023**, at **11:20 a.m.**

SO ORDERED.

Dated: January 4, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'Analisa Torres', is written over a horizontal line.

ANALISA TORRES
United States District Judge